

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

STEPHEN K. WEINSTONE,

**Plaintiff,**

V

## PIERCE COUNTY PROSECUTOR.

Defendant.

CASE NO. C15-5255 BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION AND  
DENYING PLAINTIFF'S  
MOTION TO APPOINT  
COUNSEL.

This matter comes before the Court on the Report and Recommendation (“R&R”).

of the Honorable David W. Christel, United States Magistrate Judge (Dkt. 11), and

Plaintiff Stephen Weinstone's ("Weinstone") motion to appoint counsel (Dkt. 13).

On June 26, 2015, Judge Christel issued the R&R recommending that the Court

dismiss Weinstone's complaint for numerous reasons including failure to state a claim.

Dkt. 11. On June 30, 2015, Weinstone filed a motion to appoint counsel without

providing any factual basis for the proposition that Weinstone is unable to represent

himself. Dkt. 13.

Therefore

Therefore, the Court having considered the R&R, Weinstone's motion, and the

remaining record, does hereby find and order as follows:

1 (1) Weinstone's motion to appoint counsel is **DENIED**;  
2 (2) The R&R is **ADOPTED**;  
3 (3) Weinstone's *in forma pauperis* status is **REVOKE**D; and  
4 (4) This action is **DISMISSED**.

5 Dated this 17th day of August, 2015.

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BENJAMIN H. SETTLE  
United States District Judge  
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